

REMARKS

Reconsideration and allowance of the above identified application are requested.

Specification.

The Applicant amended the specification by making typographical and grammatical corrections without changing the scope of the application from the scope of the as-filed application. Amendments which embody the correction of informalities may be submitted for entry into the application. 37CFR § 111 (a)(2)(E). A brief explanation of each correction to specification follows.

In the paragraph which starts on page 3, line 18 (paragraph 0013 in the printed patent application) typographical corrections include replacing the word and reference number for handle with trigger and corresponding reference number (see page 3, lines 19-20), and adding a handle reference number (see page 3, line 21). See FIGS. 1 and 2.

35 U.S.C. § 102(b) Claim Rejections.

The Applicants traverse the rejection of Claims 1-10 as amended, as anticipated under 35 U.S.C. § 102 (b) because the Larson reference cited in the Examiner's Office Action teaches a spray gun comprising a trigger having a first end and a lower portion, and does not teach an additional trigger element, a second end of the trigger that is an extension added to the trigger lower portion. The Applicant's invention on the other hand discloses a spray gun comprising a trigger having a first end pivotally and operationally attached a body of the spray gun, a middle adapted for operating the spray gun by a hand, and a second end that forms an extension having at least one grasping position adapted for operating the spray gun by a hand.

There is nothing disclosed in Larson that anticipates the Applicant's invention as suggested by the Examiner. Anticipation depends upon prior publication of the invention. 35 U.S.C. § 102(b). The establishment of anticipation requires that every element and limitation of the claimed invention can be found in a single prior publication. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987). The Applicants traverse the rejection

because nothing in Larson teaches all the elements and limitations of the Applicant's claimed invention.

The Applicants' invention claims a spray gun comprising a trigger having a first end, a middle, and a second end that forms a trigger extension. As disclosed in the Applicants' application at page 3, lines 2-4 (see paragraph 0011 of the PPA (published patent application)), the Applicants' invention includes a trigger with "[a] first end 101 . . . for operational attachment to the gun body." The Applicants' application further discloses at page 3, lines 4-5 (see paragraph 0011 of the PPA) of Applicants' application "[a] middle 120 of the trigger can form a hand grasp, and a second end 130 of the trigger can form an extension."

As shown in FIGS. 1 and 2 the trigger comprises a first end 110, 210 for pivotal and operational attachment to the spray gun body, a middle 120, 220, and a second end 130, 230 that forms an extension of the trigger. As explained at page 3, lines 18-19 (see paragraph 0014 of the PPA), the spray gun can be operated from the middle 220, "the first grasping position", or from the second end 230, "the second grasping position."

Nothing in the cited reference teaches a spray gun trigger having a first end attached to the gun body, a middle adapted to permit spray gun operation by hand, and a second end that forms an extension of the trigger also adapted to permit spray gun operation by hand. For example, Larson at Col. 5, lines 14-18 and as best seen in FIG. 1 teaches a spray gun trigger having a first end "pivotaly mounted" to the spray gun body "at a point 81" and "a lower portion 82 which can be swung toward and away from the handle 11" so as to control spray gun operation. Clearly as shown in FIG. 1, the trigger of the cited device of Larson has only a first end that is "pivotaly mounted" to the spray gun and operationally connected to a "valving element 120", and a lower portion adapted to permit spray gun operation by hand by swinging lower portion "toward and away from the handle 11." The trigger of the cited device of Larson does not have a second end that forms an extension to the lower portion. Further, FIG. 1 does not show any extension of the trigger "lower portion 82."

Applicants have amended Claims 1, 2, 8 and 10 to clarify the foregoing distinctions, particularly a trigger having a first end, a middle, and a second end wherein the first end is for pivotal and operational attachment of the trigger and the middle and second end are adapted to permit spray gun operation by hand. In view of the amendment to Claims 1 and 2, Applicants

request that the rejections of Claims 1-10 as being anticipated under 35 U.S.C. § 102 (b) by Larson be withdrawn.

With regard to Claim 8, the Applicant believes that the cited device of Larson operates differently than as explained by the Examiner. As explained by Larson at Col. 5, lines 14-18, the trigger is "a curved metal casing 80" having a first end, and a "lower portion 82." The first end of the "trigger 12" is formed to be pivotally mounted to the spray gun body "at a point 81" and as shown by Larson in FIG. 1 operationally connected to the "valving element 120." The "lower portion 82" of the trigger is formed to "be swung towards and away from the handle 11, thereby defining an open and closed position" of the spray gun. Further and as generally known in the art, a mechanical force, such as the "coil spring 131" as shown by Larson in FIG. 1, must be overcome to operate the spray gun. One skilled in the art would know that such mechanical force would be difficult to overcome by grasping the first end of the trigger, particularly at a position between the pivotal connection "at a point 81" and the operational connection to "valving element 120" because of a lack of mechanical advantage needed to overcome the mechanical force, such as the "coil spring 131." Such force is more easily overcome through the mechanical advantage gained by grasping "the lower portion 82 which can be swung towards and away from the handle 11, thereby defining an open and closed position of the valve assembly 25" of the spray gun as taught by Larson at Col. 5, line 16-18. Thus, only the lower portion of the trigger of the cited device of Larson is adapted to permit spray gun operation by hand, and the device is not operated by grasping the first end of the trigger.

Further, the Applicants' invention works differently than how the cited device of Larson operates. For the cited device of Larson, the distance the spray from the end of the spray gun reaches relative to the spray gun generally depends on how much the trigger is squeezed. Therefore, for the cited device of Larson the maximum distance that the spray can reach is achieved when the trigger is squeezed fully against the handle or nearly so. However, in the Applicant's device, an operator of the Applicants' device can move the grasping hand down the extension while keeping the trigger fully squeezed so as to increase the distance the spray reaches relative to the operator. As disclosed in the Applicants' application at page 4, lines 2-7 (see paragraph 0014 of the PPA), "[t]he distance that spray can reach from the spray gun depends on how far the spray nozzle can be extended from the operator's grasping hand. For example, operating the trigger 200 from the second grasping position 270 increases the distance

that the spray can reach relative to operating the spray gun from the first grasping position 220. Thus, an operator can increase the spray reach by moving a hand grasp from the first grasping position 220 to the second grasping position 230 while maintaining sufficient trigger pressure to operate the mechanism 215." While the maximum distance the spray reaches relative to the spray nozzle may be similar for both the cited device of Larson and the Applicants' device, the maximum distance the spray reaches relative to the operator can be greater for Applicants' device. Applicants' mode of operation is not taught by Larson.

Applicants have further amended Claim 8 to clarify the foregoing distinctions, particularly that "the spray reach" relative to the operator can be increased by grasping the trigger extension. In view of the amendment to Claim 8 Applicants request that the additional rejection of Claim 8 as being anticipated under 35 U.S.C. § 102 (b) by Larson be withdrawn.

Applicants believe that the amended patent application is now in condition for allowance. Accordingly, the Applicants respectfully requests that a Notice of Allowance be issued in this case. The Examiner is invited to contact the undersigned by telephone or email if the Examiner believes this would advance the prosecution of the matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ronald E. Andermann", with a long horizontal flourish extending to the right.

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